

STD

**U.S. District Court  
DISTRICT OF ARIZONA (Phoenix Division)  
CIVIL DOCKET FOR CASE #: 2:11-cv-00087-NVW  
Internal Use Only**

Disc Go Technologies Incorporated v. Research Technology International Company  
Assigned to: Judge Neil V Wake  
Cause: 35:271 Patent Infringement

Date Filed: 01/12/2011  
Jury Demand: Plaintiff  
Nature of Suit: 830 Patent  
Jurisdiction: Federal Question

**Plaintiff**

**Disc Go Technologies Incorporated**  
*a Canadian corporation*





represented by **Bradley P Hartman**  
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**ATTORNEY TO BE NOTICED**


21.8 6,991,524  
7,357,646

V.

**Defendant**

**Research Technology International Company**  
*an Illinois corporation*

Date Filed	#	Docket Text
01/12/2011	 <u>1</u>	COMPLAINT. Filing fee received: \$350.00, receipt number PHX 0970-4758948, filed by Disc Go Technologies Incorporated (submitted by Bradley Hartman). (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet)(REK) (Entered: 01/13/2011)
01/12/2011	 <u>2</u>	SUMMONS Submitted by Disc Go Technologies Incorporated (submitted by Bradley Hartman). (REK) (Entered: 01/13/2011)
01/12/2011	 <u>3</u>	Corporate Disclosure Statement by Disc Go Technologies Incorporated (submitted by Bradley Hartman). (REK) (Entered: 01/13/2011)
01/12/2011	 <u>4</u>	Filing fee paid, receipt number PHX 0970-4758948. This case has been assigned to the Honorable Neil V. Wake. All future pleadings or documents should bear the correct case number: CV 11-0087-PHX-NVW. Notice of Availability of Magistrate Judge to Exercise Jurisdiction form attached. (REK) (Entered: 01/13/2011)

01/13/2011	 <u>5</u>	Summons Issued as to Research Technology International Company. (REK). *** IMPORTANT: When printing the summons, select "Document and stamps" or "Document and comments" for the seal to appear on the document. (Entered: 01/13/2011)
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Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Disc Go Technologies, Inc., a  
Canadian corporation,

Plaintiff,

vs.

Research Technology International  
Company, an Illinois corporation,

Defendant.

No.

**COMPLAINT**

(Patent infringement)

Plaintiff Disc Go Technologies, Inc. alleges as follows:

**Parties**

1. Plaintiff Disc Go Technologies, Inc. ("Disc Go") is a corporation organized under the laws of Canada with an address of 101-19110 24th Avenue, Surrey, British Columbia, V3S 3S9.

2. Disc Go is engaged in the manufacture, distribution and sale of machines used to repair scratches in optical discs, such as CDs and DVDs.

3. Defendant Research Technology International Company ("RTI") is an Illinois corporation with its principal place of business at 4700 West Chase Avenue, Lincolnwood, Illinois 60712, transacting interstate business in Arizona and elsewhere.

1           4.     RTI is engaged in the importation, distribution and sale of machines used to  
2 repair scratches in optical discs, such as CDs and DVDs. The RTI machines include, *inter*  
3 *alia*, the ECO Auto Smart, ECO-Senior II, ECO-Master and ECO-Super.

4                               **Jurisdiction and Venue**

5           5.     This action arises under the patent laws of the United States, Title 35 of the  
6 United States Code.

7           6.     This Court has jurisdiction over the subject matter of this action pursuant to 28  
8 U.S.C. §§ 1331 and 1338(a).

9           7.     Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b), 1391(c)  
10 and 1400(b).

11           8.     Jurisdiction is proper in the District of Arizona because Defendant has  
12 purposefully directed its goods, services and business activities towards residents of this  
13 State.

14                               **FIRST CLAIM FOR RELIEF**

15                               **Patent Infringement – ‘524 Patent**

16           9.     United States Letters Patent No. 6,991,524 (the “‘524 patent”) entitled  
17 “Method and Apparatus for Reconditioning Digital Discs” was duly and legally issued to  
18 Disc Go on January 31, 2006. A true copy of the Letters Patent is attached hereto as Exhibit  
19 A and made a part hereof.

20           10.    All legal right, title and interest in and to the ‘524 patent is owned by Disc Go.

21           11.    RTI has committed, and continues to commit, contributory infringement of the  
22 ‘524 patent, both literally and under the doctrine of equivalents, by offering to sell, selling or  
23 importing into the United States one or more apparatuses, including the ECO-Super, for use  
24 in practicing at least claim 1 of the ‘524 patent, both literally and under the doctrine of  
25 equivalents, knowing the apparatus to be especially made for use in an infringement of the

1 '524 patent and without a substantial non-infringing use.

2 12. Disc Go has complied in all respects with the statutory notice requirements of  
3 35 U.S.C. § 287(a).

4 13. The acts of contributory patent infringement of the '524 patent by RTI have  
5 caused damage to Disc Go.

6 14. The acts of contributory patent infringement of the '524 patent by RTI have  
7 caused Disc Go irreparable harm, for which there is no adequate remedy at law.

8 15. The acts of contributory patent infringement of the '524 patent by RTI were  
9 willful and in deliberate disregard of the rights of Disc Go.

10 16. The acts of contributory patent infringement of the '524 patent by RTI will  
11 continue unless enjoined by this Court.

12 **SECOND CLAIM FOR RELIEF**

13 **Patent Infringement – '696 Patent**

14 17. United States Letters Patent No. 7,357,696 (the "'696 patent") entitled  
15 "Method and Apparatus for Reconditioning Digital Discs" was duly and legally issued to  
16 Disc Go on April 15, 2008. A true copy of the Letters Patent is attached hereto as Exhibit B  
17 and made a part hereof.

18 18. All legal right, title and interest in and to the '696 patent is owned by Disc Go.

19 19. RTI has committed, and continues to commit, contributory infringement of the  
20 '696 patent, both literally and under the doctrine of equivalents, by offering to sell, selling or  
21 importing into the United States one or more apparatuses, including the ECO-Master, for use  
22 in practicing at least claim 1 of the '696 patent, both literally and under the doctrine of  
23 equivalents, knowing the apparatus to be especially made for use in an infringement of the  
24 '696 patent and without a substantial non-infringing use.

25 20. RTI has infringed and continues to infringe at least claim 10 of the '696 patent,

1 both literally and under the doctrine of equivalents, by making, selling, using, importing  
2 and/or offering to sell one or more types of infringing disc repair machines without Disc  
3 Go's authority, including the ECO-Master

4 21. Disc Go has complied in all respects with the statutory notice requirements of  
5 35 U.S.C. § 287(a).

6 22. The acts of patent infringement of the '696 patent by RTI have caused damage  
7 to Disc Go.

8 23. The acts of patent infringement of the '696 patent by RTI have caused Disc Go  
9 irreparable harm, for which there is no adequate remedy at law.

10 24. The acts of patent infringement of the '696 patent by RTI were willful and in  
11 deliberate disregard of the rights of Disc Go.

12 25. The acts of patent infringement of the '696 patent by RTI will continue unless  
13 enjoined by this Court.

14 **Jury Demand**

15 26. Disc Go hereby requests trial by jury of all issues raised that are triable by jury.

16 **Prayer for Relief**

17 WHEREFORE, Disc Go prays for judgment against RTI as follows:

18 A. That RTI is a contributory infringer of the '524 patent;

19 B. That RTI is a contributory infringer the '524 patent under the doctrine of  
20 equivalents;

21 C. That RTI has literally infringed the '696 patent;

22 D. That RTI has literally infringed the '696 patent under the doctrine of  
23 equivalents;

24 E. That RTI is a contributory infringer of the '696 patent;

1 F. That RTI is a contributory infringer the '696 patent under the doctrine of  
2 equivalents;

3 G. That RTI, its officers, directors, employees, agents, licensees, successors, and  
4 assigns and all person acting in concert with it, be enjoined from further infringement of the  
5 '524 patent and the '696 patent;

6 H. That RTI be required to pay all damages sustained by Disc Go as a result of  
7 RTI's infringement of the '524 patent and the '696 patent;

8 I. That Disc Go be awarded its costs and prejudgment interest on all damages;  
9 and

10 J. That Disc Go be awarded such other and further relief as the Court deems just  
11 and proper.

12 DATED this 12<sup>th</sup> day of January, 2011.

13 **HARTMAN LAW PLC**

14 By: /s/ Bradley P. Hartman

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